

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.355 of 2016

Arising Out of PS.Case No. -98 Year- 2015 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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1. Mumtaz Ansari S/o- Merajul Ansari, R/o Village- Pakaria, P.S.-
Chhouradano, District- East Champaran, Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Jitendra Kr. Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

5 29-03-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 304 (B) and 34 of the I.P.C

Nasima Khatoon, the daughter of the informant, was
married to the petitioner 1 ½ years ago and allegedly due to non
fulfillment of demand of motorcycle and cash she was being
tortured. Out of the wedlock there is a son of six months and on
09.06.2015 at 9 A.M. Nasima Khatoon informed her mother
through mobile that she was assaulted by her husband and other
in-laws with an intention to kill her and then the informant went
there and saw his daughter dead. Postmortem of the dead body
was also not performed due to the hindrance made by the villagers
and for that Chhauradano P.S. Case No. 99 of 2015 has been

registered.

Submission is of false implication and that no demand was ever made, the petitioner was having cordial relation with his wife, the wife of the petitioner was suffering by Anemia and other heart problem and she fell down from the bed resulting she died, the petitioner without any fault is suffering in custody since 01.10.2015 and as such he deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that when the police arrived at the place of occurrence the petitioner along with the villagers forcibly stopped the police from sending the dead body for postmortem and cremated the dead body.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Chhauradano P.S. Case No. 98 of 2015 pending in the court of S.D.J.M. Raxaul, East Champaran, Motihari.

However, considering detention of the petitioner; let the trial be expedited and concluded within nine months.

(Jitendra Mohan Sharma, J)

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